

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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5 ROBERT JOSEPH MCCARTY,

6 Plaintiff,

7 vs.

8 LAS VEGAS DEFENSE GROUP, *et al.*,

9 Defendants.

2:16-cv-00161-RFB-VCF

**ORDER**

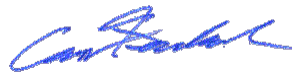
10 Before the court is Plaintiff's Motion to Withdraw Complaint (#4). Plaintiff seeks to withdraw his  
11 complaint and file in state court. Under FED. R. CIV. P. 41(a)(1), the plaintiff may dismiss an action  
12 without a court order by filing a notice of dismissal before the opposing party serves an answer. To date,  
13 Defendants have not been served.

14 Accordingly,

15 IT IS HEREBY ORDERED that Plaintiff's Motion to Withdraw Complaint (#4) is GRANTED.

16 The Clerk of Court is directed to close this case.

17 DATED this 12th day of February, 2016.

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20 CAM FERENBACH  
21 UNITED STATES MAGISTRATE JUDGE  
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